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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/850,036	05/08/2001	Juha Herajarvi	P 280308 2980611US/Hs/kp	9558
909	7590	03/01/2004	EXAMINER PAN, YUWEN	
PILLSBURY WINTHROP, LLP P.O. BOX 10500 MCLEAN, VA 22102			ART UNIT 2682	PAPER NUMBER 6

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/850,036

Applicant(s)

HERAJARVI ET AL.

Examiner

Yuwen Pan

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hentilä et al (US006044259A).

With respect to claim 1 and 8, Hentilä discloses that a method and system for a telecommunication system comprising:

An intelligent network or a connection to an intelligent network (see figure 3 and column 6 and lines 17-45;

First means for generating a communication charging file (see column 4 and lines 43-56);

Memory for maintaining the account data of the intelligent network subscriber (see column 3 and lines 27-39);

Second means for retrieving the communication bill of the intelligent network subscriber from the charging file and update means responsive to the second means for updating the account data of the intelligent network subscriber with the message communication bill (see column 4 and lines 34-56).

With respect to claims 2, 9, Hentilä further discloses that the subscriber is a subscriber using prepaid connection time; a limited value is set for credit data; after an update, a check is made to see if the account data is bigger than the limited value, and if the account data is smaller

than the limit value, the user of chargeable message communication services is blocked from the subscriber (see figure 5 and column 8 and lines 1-29).

With respect to claims 3, 11, Hentilä further teaches that the communication bill retrieval and account data update is performed at predefined intervals (see column 4 and lines 15-20).

With respect to claims 4-6, 12, Hentilä further teaches the account data of the subscriber is maintained in the intelligent network by maintaining a first set of account data on the subscriber's balance and a second set of account data for charging the balance, the account data of the subscriber is updated in two stages (see figure 4 and items 415, 420), wherein the execution time for each stages is purely arbitrary.

With respect to claim 10, Hentilä further teaches that as a response to the information blocks the transmission of communication from said subscriber (see figure 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Hentilä et al (US006044259A).

Hentilä doesn't explicitly teach a short message communication for delivering charging and billing information. Hentilä teaches that a typical mobile phone network would be a GSM network (see column 2 and lines 55). One ordinary skill in the art knows that a GSM system

provides short message service in which subscribers would be able to transmit and receive short message via provided network.

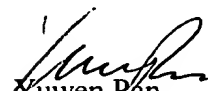
It would have been obvious to one ordinary skill in the art at the time the invention was made to monitor and charge user's account for using the short message service such that the provider would not lose profits from providing certain chargeable services and notify the user for updated account status.

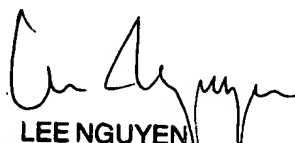
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yuwen Pan
February 23, 2004


LEE NGUYEN
PRIMARY EXAMINER